

ORIGINAL

BLECHER & COLLINS, P.C.

MAXWELL M. BLECHER (Pro Hac Vice) mblecher@blechercollins.com

DAVID W. KESSELMAN (Pro Hac Vice) dkesselman@blechercollins.com

COURTNEY A. PALKO (Pro Hac Vice) cpalko@blechercollins.com

515 South Figueroa Street, 17th Floor

Los Angeles, California 90071

Telephone: (213) 622-4222

Facsimile: (213) 622-1656

FREDERICK W. ROHLFING III, A LIMITED LIABILITY LAW COMPANY

FREDERICK W. ROHLFING III #3474

FWR@caselombardi.com

Pacific Guardian Center, Mauka Tower

737 Bishop Street, Suite 2600

Honolulu, Hawaii 96813-3283

Telephone: (808) 547-5400

Facsimile: (808) 523-1888

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

JUN 23 2006
at 3 o'clock and 47 min.
SUE BEITIA, CLERK

Attorneys for Plaintiff Aloha Sports Inc.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

ALOHA SPORTS INC., a Hawaii
corporation,

Plaintiff,

vs.

THE NATIONAL COLLEGIATE
ATHLETIC ASSOCIATION, an
unincorporated association,

Defendant.

CIVIL NO. CV04-00204 DAE/KSC
(Antitrust)

DECLARATION OF MAXWELL M.
BLECHER; EXHIBITS A & B

Hearing Date: July 3, 2006

Time: 9:45 a.m.

Judge: Hon. David A. Ezra

I, Maxwell M. Blecher hereby declare:

1. I am a member of the State Bar of California and am admitted to practice before the Courts of this State. I am also admitted to practice *pro hac vice* before this Honorable Court in this case. I am an attorney with the law firm of Blecher & Collins and lead counsel of record for the Plaintiff Aloha Sports Inc. in this action. I am familiar with the record in this litigation and have personal knowledge of the matters stated herein, and I could and would testify competently to them if called as a witness.

2. I make this declaration in support of ASI's motion for an order of dismissal pursuant to Fed. R. Civ. P. 41.

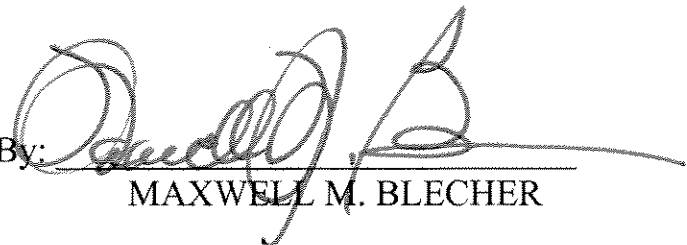
3. Attached hereto as **Exhibit A** is a letter dated June 2, 2006 from Maxwell M. Blecher to Gregory L. Curtner.

4. Attached hereto as **Exhibit B** is an email communication from Gregory L. Curtner to Maxwell M. Blecher dated June 3, 2006.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and this Declaration was executed on June 9, 2006 at Los Angeles, California.

June 9, 2006

By:



MAXWELL M. BLECHER